

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

FILED  
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2004 OCT 15 P 12:58

CRIMINAL #04-10288-NG

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UNITED STATES

v.

JOSEPH ALLEN

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**DEFENDANT'S MOTION TO DISMISS INDICTMENT WITH PREJUDICE**

Joseph Allen, defendant in the above-captioned criminal case, hereby moves this Court, pursuant to 18 U.S.C. § 3162(a), to dismiss the indictment with prejudice. The grounds for the instant motion are set forth in the accompanying memorandum of law.

Respectfully submitted,

**JOSEPH ALLEN**

By his attorney,




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**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing document by mailing a copy, U.S. mail, postage prepaid, to AUSA David Tobin at the US Attorney's Office, 1 Courthouse Way, Boston, MA 02210 this October 14, 2004.

  
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James L. Sultan